

1647

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ROSENTHAL et al.

Serial No.: 09/893,339

Filed: June 26, 2001

Confirmation No.: 1140


Atty. File No.: 42830-00236

For: "COMPOSITION FOR DELIVERY OF
HEMATOPOIETIC GROWTH FACTOR"

) Group Art Unit: 1647

) Examiner: DeBerry, Regina M.

) SUPPLEMENTAL INFORMATION
) DISCLOSURE STATEMENT

<p>CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>MARCH 4, 2004.</u></p> <p>MARSH FISCHMANN & BREYFOOLE LLP</p> <p>BY:  DAXMARA SANCHEZ</p>
--

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. §1.56, Applicant hereby submits this Supplemental Information Disclosure Statement with copies of the documents identified on the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified patent application.

Also enclosed is a Statement Under 37 C.F.R. 1.97(e) Accompanying Information Disclosure Statement. While Applicant believes no fees are due in connection herewith, please charge all required fees under 37 C.F.R. 1.17 to Deposit Account No. 50-1419.



Respectfully submitted,

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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
42830-00236

In Re Application Of: ROSENTHAL et al.

Serial No.
09/893,339

Filing Date
June 26, 2001

Examiner
DeBerry, Regina M.

Group Art Unit
1647

Invention: "COMPOSITION FOR DELIVERY OF HEMATOPOIETIC GROWTH FACTOR"

TO THE COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

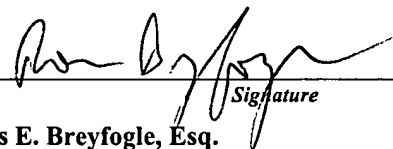
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



Signature
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Dated: March 4, 2004

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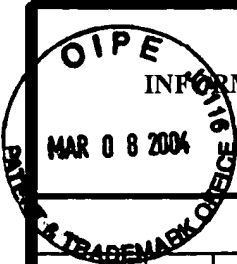


Signature of Person Mailing Correspondence.

Daxmara Sanchez

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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

42830-00236

Application Number

09/893,339

Applicant(s)

Rosenthal et al.

Filing Date

June 26, 2001

Group Art Unit

1647

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	5,292,516	03/08/94	VIEGAS ET AL.	424	423	
	2.	5,346,703	09/13/94	VIEGAS ET AL.	424	486	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	A.	EP0551626A1	07/21/93	EUROPE	A61K	47/10		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant.